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Sustainable development: Convention on Biological Diversity

Report of the Second Committee*

Rapporteur: Ms. Vanessa **Gomes** (Portugal)

I. Introduction

1. The Second Committee held a substantive debate on agenda item 53 (see A/61/422, para. 2). Action on sub-item (f) was taken at the 25th and 34th meetings, on 7 November and 8 December 2006. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/61/SR.25 and 34).

II. Consideration of proposals

A. Draft resolution A/C.2/61/L.29 and Rev.1

2. At the 25th meeting, on 7 November, the representative of South Africa, on behalf of Mexico and the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "International Year of Biodiversity, 2010" (A/C.2/61/L.29). Subsequently, Israel and Japan joined in sponsoring the draft resolution, which read:

> "*The General Assembly*,
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> "*Recalling* chapter 15 of Agenda 21 on the conservation of biological diversity adopted at the United Nations Conference on Environment and Development,
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> "*Recalling also* the Convention on Biological Diversity, which was ratified by 189 Member States, and the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,

* The report of the Committee on this item will be issued in eight parts, under the symbol A/61/422 and Add.1-7.

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"*Further recalling* the commitment to a more effective and coherent implementation of the three objectives of the Convention, and the target 'to achieve by 2010 a significant reduction of the current rate of biodiversity loss at global, regional and national levels as a contribution to poverty alleviation and to the benefit of all life on earth', adopted at the sixth meeting of the Conference of the Parties to the Convention, held in The Hague in 2002, and endorsed by The Hague Ministerial Declaration, as well as the Plan of Implementation of the World Summit on Sustainable Development ('Johannesburg Plan of Implementation'),

"*Recalling* the 2005 World Summit Outcome adopted at the 2005 World Summit, held in New York in September 2005, in which State parties to the Convention on Biological Diversity and the Cartagena Protocol on Biosafety were called on to support the Johannesburg commitment for a significant reduction in the rate of biodiversity loss by 2010,

"*Recalling also* the need to expedite the implementation of the Global Initiative on Communication, Education and Public Awareness of the Convention on Biological Diversity,

"*Deeply concerned* by the continued loss of biodiversity and its social, economic, environmental and cultural implications, including negative impacts on the achievement of the Millennium Development Goals, and stressing the necessity to adopt concrete measures in order to reverse it,

"*Noting* the findings of the Millennium Ecosystem Assessment and its conclusion that to 'attain the 2010 biodiversity target of a substantial reduction in the rate of loss of biological diversity, will require an unprecedented effort',

"*Conscious* of the need for effective education to raise public awareness for achieving the threefold objective of the Convention and the 2010 biodiversity target,

"1. *Declares* 2010 the International Year of Biodiversity;

"2. *Designates* the secretariat of the Convention on Biological Diversity as the focal point for the International Year of Biodiversity and invites the secretariat to cooperate with other relevant United Nations bodies, multilateral environmental agreements, international organizations and other stakeholders, with a view to bringing greater international attention to bear on the issue of the continued loss of biodiversity;

"3. *Invites* all Member States to establish national committees for the International Year of Biodiversity;

"4. *Encourages* all Member States and other stakeholders to take advantage of the International Year of Biodiversity to increase awareness of the importance of biodiversity by promoting actions at the local, regional and international levels;

"5. *Calls upon* all Member States and relevant international organizations to support the activities to be organized by developing countries, especially the most vulnerable among them, with particular attention to the special needs of African countries, least developed countries, small island

developing States, landlocked developing countries and countries with economies in transition,

"6. *Invites* relevant international organizations as well as relevant global and regional environmental conventions to communicate efforts made towards the successful implementation of the objective of the International Year of Biodiversity;

"7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution and to include in that report a comprehensive and substantive analysis of the implementation of the 2010 Johannesburg target on biodiversity."

3. At its 34th meeting, on 8 December, the Committee had before it a draft resolution entitled "International Year of Biodiversity, 2010" (A/C.2/61/L.29/Rev.1) submitted by Cyprus, Monaco, Palau, Portugal, San Marino, South Africa (on behalf of the States Members of the United Nations that are members of the Group of 77 and China) and Turkey. Subsequently, Croatia and Switzerland joined in sponsoring the draft resolution.

4. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

5. Also at the same meeting, the Vice-Chairman of the Committee, Benedicto Fonseca Filho (Brazil), orally corrected the draft resolution.

6. Also at the same meeting, the Committee adopted draft resolution A/C.2/61/L.29/Rev.1, as orally corrected (see para. 13, draft resolution I).

B. Draft resolutions A/C.2/61/L.33 and A/C.2/61/L.61

7. At the 25th meeting, on 7 November, the representative of South Africa, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Convention on Biological Diversity" (A/C.2/61/L.33), which read:

"*The General Assembly*,

"*Recalling* its resolutions 55/201 of 20 December 2000, 56/197 of 21 December 2001, 57/253 and 57/260 of 20 December 2002, 58/212 of 23 December 2003, 59/236 of 22 December 2004 and 60/202 of 22 December 2005,

"*Recalling also* the 2005 World Summit Outcome,

"*Reiterating* that the Convention on Biological Diversity is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources,

"*Recalling* that the United Nations Convention on Biological Diversity has been ratified by 189 Member States,

"*Recalling also* the commitments of the World Summit on Sustainable Development to pursue a more efficient and coherent implementation of the

three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity, which will require action at all levels, including the implementation of national biodiversity strategies and action plans and the provision of new and additional financial and technical resources to developing countries,

"*Noting* that the contribution of the ongoing work of the World Intellectual Property Organization Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore can make to enhancing the effective implementation of the provisions of the Convention on Biological Diversity,

"*Acknowledging* that an unprecedented effort is needed to achieve the objective of significant reduction in the rate of loss of biological diversity by 2010,

"*Noting* the ongoing discussions in Montreal from 6 to 8 November 2006 to harness the potential of South-South cooperation in the area of biodiversity,

"*Expressing its deep appreciation* to the Government of Brazil for hosting the eighth meeting of the Conference of the Parties to the Convention on Biological Diversity and the third meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, held in Curitiba from 20 to 31 March, and from 13 to 17 March 2006, respectively,

"*Expressing its deep appreciation also* to the Government of Germany for its offer to host the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity and the fourth meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety in 2008,

"1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity, transmitted by the Secretary-General to the General Assembly at its sixty-first session;

"2. *Notes* the outcome of the eighth meeting of the Conference of the Parties to the Convention on Biological Diversity;

"3. *Notes also* the outcome of the third meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety;

"4. *Notes further* the progress made with respect to the achievement of the three objectives set out in the Convention on Biological Diversity;

"5. *Urges* all Member States to fulfil their commitments to significantly reduce the rate of loss of biodiversity by 2010, and emphasizes that this will require an appropriate focus on the loss of biodiversity in their relevant policies and programmes and the continued provision of new and additional financial and technical resources to developing countries, including through the Global Environment Facility;

"6. *Reiterates* the commitment of States parties to the Convention on Biological Diversity and the Cartagena Protocol on Biosafety to support the implementation of the Convention and the Protocol, as well as other

biodiversity-related agreements and the Johannesburg commitment for a significant reduction in the rate of loss of biodiversity by 2010, and to continue to negotiate within the framework of the Convention, bearing in mind the Bonn Guidelines, an international regime to promote and safeguard the fair and equitable sharing of benefits arising out of the utilization of genetic resources;

"7. *Notes* the progress made in the negotiation of an international regime on access to genetic resources and benefit-sharing and the decision to conclude negotiations by 2010, and urges parties to make every effort to complete the negotiation process within the established time frame;

"8. *Reaffirms* the commitment, subject to national legislation, to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity, promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from their utilization;

"9. *Calls for* accelerating the work on the development-related mandate concerning the Agreement on Trade-related Aspects of Intellectual Property Rights in the Doha Ministerial Declaration, especially on issues of making intellectual property rules to fully support the objectives of the Convention on Biological Diversity;

"10. *Notes* the progress made at the third meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety and the continuing efforts made towards the implementation of the Protocol, and stresses that this will require the full support of parties and of relevant international organizations, in particular with regard to the provision of assistance to developing countries in capacity-building for biosafety;

"11. *Calls upon* Member States, in the context of bilateral and regional arrangements, to respect the provisions of the Convention on Biological Diversity, especially those related to genetic resources and traditional knowledge, in accordance with their obligations under the Convention on Biological Diversity;

"12. *Takes note with appreciation* of the recent pledges made by the international community at the fourth replenishment of the Global Environment Facility Trust Fund, at the third Global Environment Facility Assembly held in Cape Town, South Africa, in August 2006, and stresses the importance of fulfilment of the commitments;

"13. *Takes note* of the Resource Allocation Framework of the Global Environment Facility, and in this regard emphasizes that its implementation should, inter alia, enhance the capacity of national Global Environment Facility and biodiversity focal points of developing countries in developing and implementing project proposals;

"14. *Invites* the countries that have not yet done so to ratify or to accede to the Convention;

"15. *Invites* the parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol on Biosafety to consider doing so;

"16. *Invites* countries to consider ratifying or acceding to the International Treaty on Plant Genetic Resources for Food and Agriculture;

"17. *Encourages* developed countries parties to the Convention to contribute to the relevant trust funds of the Convention, in particular so as to enhance the full participation of the developing countries parties in all of its activities;

"18. *Urges* parties to the Convention on Biological Diversity to facilitate the transfer of technology for the effective implementation of the Convention in accordance with its provisions;

"19. *Takes note* of the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities among the secretariats, while respecting their independent legal status;

"20. *Invites* the Executive Secretary of the Convention on Biological Diversity to continue reporting to the General Assembly on the ongoing work regarding the Convention, including its Cartagena Protocol;

"21. *Decides* to include in the provisional agenda of its sixty-second session, under the item entitled 'Sustainable development', the sub-item entitled 'Convention on Biological Diversity'."

8. At its 34th meeting, on 8 December, the Committee had before it draft resolution A/C.2/61/L.61 entitled "Convention on Biological Diversity" submitted by the Vice-Chairman of the Committee, Benedicto Fonseca Filho (Brazil), on the basis of informal consultations held on draft resolution A/C.2/61/L.33.

9. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

10. Also at the same meeting, following a statement by the Vice-Chairman of the Committee, Benedicto Fonseca Filho (Brazil), the representative of Antigua and Barbuda, in his capacity as facilitator, orally corrected the draft resolution.

11. At the same meeting, the Committee adopted draft resolution A/C.2/61/L.61, as orally corrected (see para. 13, draft resolution II).

12. In the light of the adoption of draft resolution A/C.2/61/L.61, draft resolution A/C.2/61/L.33 was withdrawn by its sponsors.

III. Recommendation of the Second Committee

13. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
International Year of Biodiversity, 2010

The General Assembly,

Recalling chapter 15 of Agenda 21[1] on the conservation of biological diversity adopted by the United Nations Conference on Environment and Development,

Recalling also the Convention on Biological Diversity,[2] which was ratified by one hundred and eighty-eight States and one regional economic integration organization, and the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,[3]

Recalling the commitment of the World Summit on Sustainable Development to a more effective and coherent implementation of the three objectives of the Convention, and the target to achieve by 2010 a significant reduction in the current rate of loss of biodiversity,

Recalling also the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[4]

Recalling further the 2005 World Summit Outcome[5] adopted at the 2005 World Summit, held in New York in September 2005, in which State parties to the Convention on Biological Diversity and the Cartagena Protocol on Biosafety were called on to support the Johannesburg commitment for a significant reduction in the rate of biodiversity loss by 2010,

Recalling further the need to expedite the implementation of the Global Initiative on Communication, Education and Public Awareness of the Convention on Biological Diversity,

Concerned by the continued loss of biological diversity, and acknowledging that an unprecedented effort would be needed to achieve by 2010 a significant reduction in the rate of loss of biological diversity,

Deeply concerned by the social, economic, environmental and cultural implications of the loss of biodiversity, including negative impacts on the achievement of the Millennium Development Goals, and stressing the necessity to adopt concrete measures in order to reverse it,

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[1] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[2] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[3] See UNEP/CBD/ExCOP/1/3 and Corr.1, part two, annex.

[4] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[5] See resolution 60/1.

Taking note of the reports of the Millennium Ecosystem Assessment,[5]

Conscious of the need for effective education to raise public awareness for achieving the threefold objective of the Convention and the 2010 biodiversity target,

1. *Declares* 2010 the International Year of Biodiversity;

2. *Designates* the secretariat of the Convention on Biological Diversity as the focal point for the International Year of Biodiversity and invites the secretariat to cooperate with other relevant United Nations bodies, multilateral environmental agreements, international organizations and other stakeholders, with a view to bringing greater international attention to bear on the issue of the continued loss of biodiversity;

3. *Invites* Member States to consider establishing national committees for the International Year of Biodiversity;

4. *Encourages* Member States and other stakeholders to take advantage of the International Year of Biodiversity to increase awareness of the importance of biodiversity by promoting actions at the local, regional and international levels;

5. *Invites* Member States and relevant international organizations to support the activities to be organized by developing countries, especially least developed countries, landlocked developing countries and small island developing States, and countries with economies in transition;

6. *Invites* relevant international organizations as well as relevant global and regional environmental conventions to communicate to the focal point for the Year efforts made towards the successful implementation of the objective of the International Year of Biodiversity;

7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution.

[5] Available from http://www.millenniumassessment.org.

Draft resolution II
Convention on Biological Diversity

The General Assembly,

Recalling its resolutions 55/201 of 20 December 2000, 56/197 of 21 December 2001, 57/253 and 57/260 of 20 December 2002, 58/212 of 23 December 2003, 59/236 of 22 December 2004 and 60/202 of 22 December 2005,

Recalling also the 2005 World Summit Outcome,[1]

Reiterating that the Convention on Biological Diversity[2] is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources,

Noting that 188 States and 1 regional economic integration organization have ratified the Convention,

Recalling the commitments of the World Summit on Sustainable Development to pursue a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity, which will require action at all levels, including the implementation of national biodiversity strategies and action plans and the provision of new and additional financial and technical resources to developing countries,

Concerned by the continued loss of biological diversity, and acknowledging that an unprecedented effort would be needed to achieve by 2010 a significant reduction in the rate of loss of biological diversity,

Acknowledging the contribution that the ongoing work of the World Intellectual Property Organization's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore can make in enhancing the effective implementation of the provisions of the Convention on Biological Diversity,

Noting the contribution that South-South cooperation can make in the area of biological diversity,

Taking note of the reports of the Millennium Ecosystem Assessment,[3]

Expressing its deep appreciation to the Government of Brazil for hosting the eighth meeting of the Conference of the Parties to the Convention on Biological Diversity and the third meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, held in Curitiba, Brazil, from 20 to 31 March and from 13 to 17 March 2006 respectively,

Expressing its deep appreciation also to the Government of Germany for its offer to host the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity and the fourth meeting of the Conference of the Parties to the

[1] See resolution 60/1.

[2] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[3] Available from http://www.millenniumassessment.org.

Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety in 2008,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity, transmitted by the Secretary-General to the General Assembly at its sixty-first session;[6]

2. *Notes* the outcome of the eighth meeting of the Conference of the Parties to the Convention on Biological Diversity;[7]

3. *Notes also* the outcome of the third meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety;[8]

4. *Notes further* the progress made with respect to the achievement of the three objectives set out in the Convention on Biological Diversity;[9]

5. *Urges* all Member States to fulfil their commitments to significantly reduce the rate of loss of biodiversity by 2010, and emphasizes that this will require an appropriate focus on the loss of biodiversity in their relevant policies and programmes and the continued provision of new and additional financial and technical resources to developing countries, including through the Global Environment Facility;

6. *Reiterates* the commitment of States parties to the Convention on Biological Diversity and the Cartagena Protocol on Biosafety[7] to support the implementation of the Convention and the Protocol, as well as other biodiversity-related agreements and the Johannesburg commitment for a significant reduction in the rate of loss of biodiversity by 2010, and to continue to negotiate within the framework of the Convention, bearing in mind the Bonn Guidelines,[8] an international regime to promote and safeguard the fair and equitable sharing of benefits arising out of the utilization of genetic resources, and urges all States to commit to significantly reducing the rate of loss of biodiversity by 2010 and to continue ongoing effort towards elaborating and negotiating an international regime on access to genetic resources and benefit-sharing;

7. *Notes* the progress made in the Ad Hoc Open-ended Working Group on Access and Benefit-sharing towards elaborating and negotiating the international regime, as well as the decision of the eighth meeting of the Conference of the Parties to complete the work of the Ad Hoc Open-ended Working Group at the earliest possible time, before the tenth meeting of the Conference of the Parties to be held in 2010, and urges parties to make every effort to complete the work within the established time frame;

8. *Reaffirms* the commitment, subject to national legislation, to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity, promote their wider application with the approval and involvement of the holders of such knowledge, innovations and

[6] A/61/225, sect. III.
[7] UNEP/CBD/COP/8/31.
[8] UNEP/CBD/BS/COP-MOP/3/15.
[9] See UNEP/CBD/ExCOP/1/3 and Corr.1, part two, annex.
[7] UNEP/CBD/COP/6/20, annex I, decision VI/24A.

practices and encourage the equitable sharing of the benefits arising from their utilization;

9. *Notes* the progress in the thematic programmes of work of the Convention on Biological Diversity;

10. *Notes also* the progress made at the third meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety and the continuing efforts made towards the implementation of the Protocol, and stresses that this will require the full support of parties and of relevant international organizations, in particular with regard to the provision of assistance to developing countries, as well as countries with economies in transition, in capacity-building for biosafety;

11. *Takes note with appreciation* of the outcome of the fourth replenishment of the Global Environment Facility,[9] including the pledges made by the international community to the Global Environment Facility Trust Fund, at the third Global Environment Facility Assembly, held in Cape Town, South Africa, in August 2006, and stresses the importance of fulfilment of the commitments;

12. *Invites* the countries that have not yet done so to ratify or to accede to the Convention;

13. *Invites* the parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol on Biosafety to consider doing so;

14. *Invites* countries to consider ratifying or acceding to the International Treaty on Plant Genetic Resources for Food and Agriculture;[10]

15. *Encourages* developed countries parties to the Convention to contribute to the relevant trust funds of the Convention, in particular so as to enhance the full participation of the developing countries parties in all of its activities;

16. *Urges* parties to the Convention on Biological Diversity to facilitate the transfer of technology for the effective implementation of the Convention in accordance with its provisions;

17. *Takes note* of the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change,[11] the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[12] and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities among the secretariats, while respecting their independent legal status;

18. *Stresses* the importance of reducing duplicative reporting requirements of the biodiversity-related conventions, while respecting their independent legal status and their independent mandates;

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[9] See "Summary of negotiations on the fourth replenishment of the GEF Trust Fund", Third GEF Assembly, Cape Town, South Africa, 29-30 August 2006 (GEF/A.3/6).

[10] Food and Agriculture Organization of the United Nations, *Report of the Conference of FAO, Thirty-first Session, Rome, 2-13 November 2001* (C 2001/REP), appendix D.

[11] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[12] Ibid., vol. 1954, No. 33480.

19. *Invites* the Executive Secretary of the Convention on Biological Diversity to continue reporting to the General Assembly on the ongoing work regarding the Convention, including its Cartagena Protocol;

20. *Decides* to include in the provisional agenda of its sixty-second session, under the item entitled "Sustainable development", the sub-item entitled "Convention on Biological Diversity".